

October 9, 2017

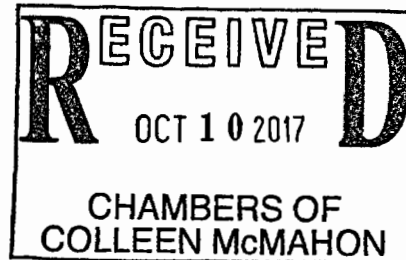
ERIC BALLL

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MEMO ENDORSED

VIA FEDERAL EXPRESS

The Honorable Colleen McMahon  
United States District Court Judge  
Southern District of New York  
500 Pearl Street, Suite 1640  
New York, New York 10007



Re: *United States v. Sandeep Aggarwal*, No. 13-CR-884 (CM)

Dear Judge McMahon:

We are writing to follow-up our April 17, 2017 letter to the Court and the United States Probation Office concerning the pattern of troubling conduct by the defendant in the above-referenced action. As we indicated in that letter, we represent Clues Network Inc., where the defendant was the former Chief Executive Officer.

Since his guilty plea, the defendant has initiated a campaign to intimidate and harass the current officers of Clues Network. The defendant made several false and defamatory public statements concerning those individuals and initiated a meritless criminal complaint in India against them as well. The officers of Clues Network obtained a temporary restraining order from a court in India prohibiting the defendant from making such statements in the future. In addition, the defendant's criminal complaint was dismissed after the police completed their investigation. We attached copies of the defendant's statements, his criminal complaint, the dismissal and the temporary restraining order with our April 17, 2017 letter, but can provide additional copies if the Court or the Probation Office would like.

Despite the temporary restraining order and the dismissal of his criminal complaint, the defendant has continued his efforts to intimidate and harass the officers of Clues Network by misusing the criminal process. On September 28, 2017, the defendant filed a First Information Report (FIR) with the police in Delhi, India, against the officers of Clues Network. A copy of the FIR is attached hereto as Exhibit 1. The allegations of the FIR are substantially similar to those in the defendant's dismissed complaint. The officers of Clues Network have filed a writ petition to quash the FIR and the court has ordered that there will be no coercive action taken against the petitioners until October 16, 2017, the date of the hearing. A copy of the writ petition and court order are attached hereto as Exhibit 2.

In determining whether the reduction to defendant's offense level based upon his acceptance of responsibility is warranted, the Court should consider the defendant's continuing abuse of the criminal process in India for his own improper purposes. The defendant's ongoing disregard for the law and recidivist tendencies cast doubt on whether the defendant will lead a law-abiding life in the future and whether a noncustodial sentence will have any deterrent effect upon him.

10/12/2017  
I am directing  
Probation to look into  
this matter for purposes  
of sentencing. The  
USDOJ will be  
copied on  
this letter,  
should advise  
as well  
C

The Honorable Colleen McMahon

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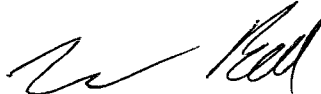
October 9, 2017

Please do not hesitate to contact me if you have any questions.

Thank you.

Sincerely,

FENWICK & WEST LLP

A handwritten signature in black ink, appearing to read 'Eric Ball', written over the printed name.

Eric Ball

Attorneys for Clues Network, Inc.

Enclosure

cc: United States Probation Officer Kisha Singleton  
Bradley H. Samuels, Esq.  
Brendan Quigley, Assistant United States Attorney